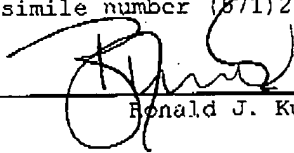


JAN 28 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/743,745 Confirmation No. 9090
Applicant : Shigekazu YASUOKA et al.
Filed : December 24, 2003
TC/A.U. : 1742
Examiner : Jessee Randall Roe
Dkt. No. : SNY-048
Cust. No. : 20374

I hereby certify that this paper is being
facsimile transmitted on January 28, 2008, to
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to facsimile number (871)273-8300.



Ronald J. Kuboveik

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321(c)

Honorable Commissioner of
Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22313-1450

January 28, 2008

Sir:

SANYO Electric Co., Ltd. , having its place of business at 5-
5, Keihanhondori 2-chome, Moriguchi-shi, Osaka, Japan 570-8677, is
the assignee of the entire right, title and interest in United
States Patent Application Serial No. 10/743,745, filed December 24,
2003, for HYDROGEN ABSORBING ALLOY FOR ALKALINE STORAGE BATTERY, by

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U.S. PATENT APPLN. S.N. 10/743,745
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virtue of an assignment recorded in United States Patent Application Serial No. 10/743,745 in the United States Patent and Trademark Office on December 24, 2003, at Reel 014842, Frames 0866-0868.

SANYO Electric Co., Ltd., disclaims the terminal part, if any, of any patent granted on application Serial No. 10/743,745, which would extend beyond the expiration date of any patent to issue from U.S. Patent Application Serial No. 11/041,678, filed January 25, 2005, and directed to common subject matter, and hereby agrees that any patent so granted on application Serial No. 10/743,745 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent to issue from application Serial No. 11/041,678, this agreement to run with any patent granted on application Serial No. 10/743,745 and to be binding upon the grantee, its successors or assigns.

SANYO Electric Co., Ltd., does not disclaim any terminal part of any patent granted on application Serial No. 10/743,745 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent to issue from application Serial No. 11/041,678 in the event that any patent to

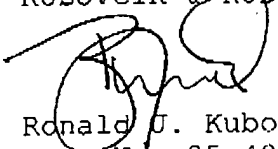
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U.S. PATENT APPLN. S.N. 10/743,745
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issue from application Serial No. 11/041,678 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Date: January 28, 2008

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